



Attorney's Docket No. WWELL78.006C1

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **PAIR OF MEASURING ELECTRODES, BIOSENSOR COMPRISING A PAIR OF MEASURING ELECTRODES OF THIS TYPE, AND PRODUCTION PROCESS**; the specification of which was filed in the United States on October 16, 2003 as Application No. 10/688,771;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) or 365(a)-(b) of any foreign or international application(s) for patent or inventor's certificate listed below and have also identified below any foreign or international application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day/month/year)	PRIORITY CLAIMED UNDER 35 U.S.C. §§ 119(a)-(d) or 365(a)-(b)
Germany	DE 101 20 083.8	17 April 2001	Yes

I hereby claim the benefit under Title 35, United States Code, §§ 120 or 365(c) of any United States or international application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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PRIOR U.S. APPLICATION

U.S. APPLICATION NUMBER OR INTERNATIONAL APPLICATION NUMBER DESIGNATING THE UNITED STATES	DATE OF THE U.S. APPLICATION FILING OR INTERNATIONAL APPLICATION FILING (day/month/year)	PRIORITY CLAIMED UNDER 35 U.S.C. §§ 120 AND 365(c)
PCT EP02/04222	16 April 2002	Yes

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Martin Stelzle**Inventor's signature *Martin Stelzle*Date March 17, 2004Residence: **Rosnetstrasse 20/6
72776 Reutlingen
Germany**Citizenship: **Germany**Post Office Address: **Same as above.**Full name of second inventor: **Wilfried Nisch**Inventor's signature *Wilfried Nisch*Date March 17, 2004Residence: **Schleifmuehleweg 14
72070 Tuebingen
Germany**Citizenship: **Germany**Post Office Address: **Same as above.**

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PATENT

ASSIGNMENT

WHEREAS, I/WE (1) Martin Stelzle, a German citizen, residing at Rosnetstrasse 20/6, 72776 Reutlingen, Germany and (2) Wilfried Nisch, a German citizen, residing at Schleifmuehleweg 14, 72070 Tuebingen, Germany hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in PAIR OF MEASURING ELECTRODES, BIOSENSOR COMPRISING A PAIR OF MEASURING ELECTRODES OF THIS TYPE, AND PRODUCTION PROCESS, the specification of which:

- (a) was executed on even date herewith;
- (b) was filed on October 16, 2003 as Application No. 10/688,771 and was amended on _____ (if applicable); or
- (c) was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any) and/or under PCT Article 34 on _____ (if any).

AND WHEREAS, NMI Naturwissenschaftliches und Medizinisches Institut an der Universität Tuebingen, with its principal place of business at Markwiesenstrasse 55, 72770 Reutlingen, Germany, (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 17 day of March, 20 04

Martin Stelzle
 Signature of Martin Stelzle

This 17 day of March, 20 04

Wilfried Nisch
 Signature of Wilfried Nisch

Witnessed by:

Jörg Kentsch
 Viktor-Rennert-Str. 34
 72074 Tuebingen

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